

SECOND REGULAR SESSION

SENATE BILL NO. 708

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MATHEWSON.

Pre-filed December 1, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

2823S.01I

AN ACT

To repeal section 488.5334, RSMo, and to enact in lieu thereof one new section relating to reimbursement of costs for arrest.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 488.5334, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 488.5334, to read as follows:

488.5334. Upon a plea of guilty or a finding of guilty for an offense of violating the provisions of section 577.010 or 577.012, RSMo, or violations of county or municipal ordinances involving alcohol or drug-related traffic offenses, the court [may] **shall**, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the state or local law enforcement agency which made the arrest for the costs associated with such arrest. Such costs shall include the reasonable cost of making the arrest, including the cost of any chemical test made under chapter 577, RSMo, to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody. The state and each local law enforcement agency may establish a schedule of such costs[; however, the court may order the costs reduced if it determines that the costs are excessive]. **The minimum dollar amount that shall be imposed by a court for such costs shall be eighty-five dollars and the maximum dollar amount that shall be imposed by a court for such costs shall be one hundred and sixty-five dollars. The**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

court may order the costs reduced to an amount between one hundred and sixty-five dollars and eighty-five dollars if it determines that the costs submitted by the state or local law enforcement agency are excessive. A dollar amount equal to ten percent of the amount imposed by the court shall be collected and disbursed in the manner provided by sections 488.010 to 488.020 and payable to the county treasurer who shall deposit those funds in the county treasury. The court may allow the convicted person to pay such costs in increments, provided that the convicted person shall initially pay at least twenty-five dollars and the remaining balance shall be paid in two equal installments.

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